

(REV. 5/2005)

JC10 Rec'd PCT/PTO 09 MAY 2005

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/534309

INTERNATIONAL APPLICATION NO.

PCT/US2003/035875

INTERNATIONAL FILING DATE

6 November 2003

PRIORITY DATE CLAIMED

7 November 2002

TITLE OF INVENTION

EPICARDIAL HEARTWIRE, CHEST TUBE WITH EPICARDIAL HEARTWIRE, AND METHOD OF USE

APPLICANT(S) FOR DO/EO/US

Vahe S. YACOUBIAN et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An **(Unexecuted)** oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information (*specify*): 7 sheet of drawings; EFS form; postcard; Copy of publication; Copy of International Preliminary Examination Report; PTO 1449

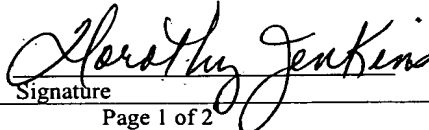
EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #EV343724132US) in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 1450, on May 9, 2005:

Dorothy Jenkins

Name of Person Mailing Correspondence

Signature

May 9, 2005

Date of Signature

10/534309

PCT/US2003/035875

P/1757-63

CALCULATIONS PTO USE ONLY

The following fees have been submitted

21. ☒ Basic national fee..... \$300

\$300.00

22. ☒ Examination fee

\$200.00

If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100

All other situations..... \$200

23. ☒ Search fee

\$400.00

Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100

International Search Report prepared and provided to the Office..... \$400

All other situations..... \$500

TOTAL OF 21, 22 and 23 =

\$900.00

[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

\$

Total Sheets

Extra sheets

Number of each additional 50 or
fraction thereof (round up to a whole number)

RATE

- 100 =

/50 =

x \$250

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

\$

Total Claims

14 - 20 =

0

x \$ 50

\$ 000.00

Independent Claims

4 - 3 =

0

x \$200

\$ 200.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$360

\$

TOTAL OF ABOVE CALCULATIONS =

\$ 1100.00

[X] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$ 550.00

SUBTOTAL =

\$ 550.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 550.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ 00.00

TOTAL FEES ENCLOSED =

\$ 550.00

Amount to be
refunded:

\$

Amount to be
charged:

\$

a. ☒ A check (check number 20517) in the amount \$550.00 to cover the above fees is enclosed.b. [] Please charge my Deposit Account No. 15-0700 in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0700. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO: Robert C. Faber
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